



#12

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)  
14998-230

First Named Inventor: Aikawa, et. al.

Art Unit: 2874

Application Number: 09/635,109

Examiner: Mike Stahl

Filed: August 9, 2000

Title: "OPTICAL FIBER AND OPTICAL TRANSMISSION SYSTEM"

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OFFICE OF PETITIONS

Attention: Office of Petitions  
Mail Stop Petition  
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Information at (703)305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

**1. Petition fee**

☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(l)) Applicant claims small entity status..  
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 110.00 (37 CFR 1.17(l)).

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of

COMMUNICATION

(identify the type of reply):

- ☐ has been filed previously on \_\_\_\_\_
- ☒ is enclosed herewith.

B. The issue fee of \$ 1,330

- ☐ has been paid previously on \_\_\_\_\_
- ☒ is enclosed herewith.

Adjustment date: 04/08/2005 CKHLOK  
11/29/2004 HDENESS1 00000042 031240 09635109  
01 FC:1464 130.00 CR

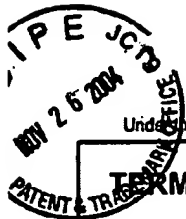
(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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#14

PTO/SB/63 (10-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO ACCOMPANY PETITION**

Docket Number (Optional)

14998-230

In re Application of: Alkawa, et. al.

Name:

Application Number: 09/635,109

Filed: August 9, 2000

For: "OPTICAL FIBER AND OPTICAL TRANSMISSION SYSTEM"

The owner\*, FUJIKURA, LTD. of 100 percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: (1) if the above-identified application is a design application, the period of abandonment of the above-identified application, and (2) if the above-identified application is a utility or plant application, the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer also applies to any patent granted on a utility or plant application filed before June 8, 1995, or a design application, that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. This disclaimer is binding upon the grantee, and its successors or assigns.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
2. ☒ The undersigned is an attorney or agent of record.

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D. Basov

Signature

November 19, 2004

Date

1/29/2004 HDEHES1 00000042 031240 09635109

FC:14

110.00 DA

Daniel Basov (Reg. No. 42,303)

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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**UNITED STATES PATENT & TRADEMARK OFFICE**  
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REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>4-7-05</u>		2 Serial/Patent # <u>09/635,109</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
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X	Petition	IFW	11-26-04	\$ 130
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		7 TOTAL AMOUNT OF REFUND		\$
10 REASON:		8 TO BE REFUNDED BY:		
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X	No Fee Due (Explanation):			
<u>Petition to withdraw abandonment is free and terminal disclaimer not necessary</u>				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>STEVEN BRADLEY</u>		TITLE: <u>PATENT ATTORNEY</u>		
SIGNATURE: <u>[Signature]</u>		PHONE: <u>571-272-3203</u>		
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